

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 11/10/16

-----X
PABLO FERNANDEZ,

Petitioner,

v.

MICHAEL CAPRA,

Respondent.
-----X

00 CV 7601 (KMW)

OPINION AND ORDER

KIMBA M. WOOD, District Judge:

Petitioner has requested a certificate of appealability following this Court's denial of his Third Amended Petition for *Writ of Habeas Corpus* pursuant to 28 U.S.C. § 2254.

The Court denies this request because the petitioner has failed to make a substantial showing of a denial of a constitutional right, as is required under 28 U.S.C. § 2253(c).

SO ORDERED.

DATED: New York, New York
November 10, 2016

Kimba M. Wood

KIMBA M. WOOD
United States District Judge